

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TONY KIM WHITE,

Plaintiff,

v.

KIMBERLY JOHANSSON, BERNIE
WARNER, DEPARTMENT OF
CORRECTIONS,

Defendant.

CASE NO. 3:14-cv-5226-RJB

ORDER ADOPTING REPORT AND
RECOMMENDATION

This matter comes before the Court on Magistrate Judge Karen L. Strombom's Report and Recommendation. Dkt. 35. The Court has considered the Report and Recommendation, all relevant documents, and the file herein.

Plaintiff filed a 42 U.S.C. §1983 claim against Bernie Warner, the Secretary of the Washington State Department of Corrections ("DOC"), and Kimberly Johansson, a DOC employee, alleging that the DOC improperly deducted a portion of his paycheck for the cost of supervision. Dkt. 5.

1 On August 28, 2014, plaintiff filed a motion for a summary judgment. Dkt. 17. On
2 September 19, 2014, defendants filed a motion to dismiss plaintiff's claims under FRCP 12. On
3 January 12, 2014, Magistrate Judge Strombom issued a Report and Recommendation,
4 recommending that the Court deny plaintiff's motion for a summary judgment and grant
5 defendants' motion to dismiss.

6 Plaintiff has failed to any objections to the Report and Recommendation. In addition, the
7 Court agrees with the Report and Recommendation. Accordingly, the Court should adopt
8 Magistrate Judge Strombom's Report and Recommendation, denying plaintiff's motion for a
9 summary judgment and granting defendants' motion to dismiss.

10 Therefore, it is **ORDERED**:

11 The Report and Recommendation (Dkt. 35) is **ADOPTED**.


12 Plaintiff's Motion for Summary Judgment (Dkt. 17.) is **DENIED**.

13 Defendants' Motion to Dismiss (Dkt. 23) is **GRANTED**.

14 This case is **DISMISSED WITH PREJUDICE**.

15 The Clerk is directed to send uncertified copies of this Order to Judge Strombom, all
16 counsel of record and to any party appearing *pro se* at said party's last known address.

17 Dated this 6th day of February, 2015.

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20 ROBERT J. BRYAN
21 United States District Judge
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